

**Introduced by Senators Lara and Hall**

February 8, 2016

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An act to add Chapter 6.3 (commencing with Section 21530) to Division 21 of the Elections Code, relating to elections.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 958, as introduced, Lara. County of Los Angeles Citizens Redistricting Commission.

Existing law requires the board of supervisors of each county, following each decennial federal census, and using that census as a basis, to adjust the boundaries of any or all of the supervisorial districts of the county so that the districts are as nearly equal in population as possible, and comply with applicable federal law, and specifies the procedures the board of supervisors must follow in adjusting those boundaries. Existing law establishes the Independent Redistricting Commission in the County of San Diego, which is charged with adjusting the supervisorial district boundaries for the county.

This bill would establish the Citizens Redistricting Commission in the County of Los Angeles, which would be charged with adjusting the boundary lines of the districts of the Board of Supervisors of the County of Los Angeles. The commission would consist of 14 members who meet specified qualifications. This bill would require the commission to adjust the boundaries of the supervisorial districts in accordance with specified criteria and adopt a redistricting plan, which would become effective 30 days following its submission to the county elections official. By increasing the duties on local officials, this bill would impose a state-mandated local program.

The bill would make legislative findings and declarations as to the necessity of a special statute for the unique circumstances facing the County of Los Angeles.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 6.3 (commencing with Section 21530)  
2 is added to Division 21 of the Elections Code, to read:

3  
4 CHAPTER 6.3. COUNTY OF LOS ANGELES CITIZENS  
5 REDISTRICTING COMMISSION  
6

7 21530. As used in this chapter, the following terms have the  
8 following meanings:

9 (a) “Board” means the Board of Supervisors of the County of  
10 Los Angeles.

11 (b) “Commission” means the Citizens Redistricting Commission  
12 in the County of Los Angeles established pursuant to Section  
13 21532.

14 (c) “Immediate family member” means a spouse, child, in-law,  
15 parent, or sibling.

16 21531. There is, in the County of Los Angeles, a Citizens  
17 Redistricting Commission. In the year following the year in which  
18 the decennial federal census is taken, the commission shall adjust  
19 the boundary lines of the supervisorial districts of the board in  
20 accordance with this chapter.

21 21532. (a) The commission shall be created no later than  
22 December 31 in 2020, and in each year ending in the number zero  
23 thereafter.

1 (b) The selection process is designed to produce a commission  
2 that is independent from the influence of the board and reasonably  
3 representative of the county's diversity.

4 (c) The commission shall consist of 14 members. The political  
5 party preferences of the commission members, as shown on the  
6 members' most recent affidavits of registration, shall be as  
7 proportional as possible to the total number of voters who are  
8 registered with each political party in the County of Los Angeles,  
9 as determined by registration at the most recent statewide election.  
10 At least one commission member shall reside in each of the eight  
11 service planning areas in the County of Los Angeles.

12 (d) Each commission member shall meet all of the following  
13 qualifications:

14 (1) Be a resident of the County of Los Angeles.

15 (2) Be a voter who has been continuously registered in the  
16 County of Los Angeles with the same political party or unaffiliated  
17 with a political party and who has not changed political party  
18 affiliation for five or more years immediately preceding the date  
19 of his or her appointment to the commission.

20 (3) Have voted in at least one of the last three statewide elections  
21 immediately preceding his or her application to be a member of  
22 the commission.

23 (4) Within the 10 years immediately preceding the date of  
24 application to the commission, neither the applicant, nor an  
25 immediate family member of the applicant, may have done any of  
26 the following:

27 (A) Been appointed to, elected to, or have been a candidate for  
28 office at the local, state, or federal level representing the County  
29 of Los Angeles, including as a member of the board.

30 (B) Served as an employee of, or paid consultant for, an elected  
31 representative at the local, state, or federal level representing the  
32 County of Los Angeles.

33 (C) Served as an employee of, or paid consultant for, a candidate  
34 for office at the local, state, or federal level representing the County  
35 of Los Angeles.

36 (D) Served as an officer, employee, or paid consultant of a  
37 political party or as an appointed member of a political party central  
38 committee.

39 (E) Been a registered state or local lobbyist.

1 (5) Possess experience that demonstrates analytical skills  
2 relevant to the redistricting process and voting rights, and possess  
3 an ability to comprehend and apply the applicable state and federal  
4 legal requirements.

5 (6) Possess experience that demonstrates an ability to be  
6 impartial.

7 (7) Possess experience that demonstrates an appreciation for  
8 the diverse demographics and geography of the County of Los  
9 Angeles.

10 (e) An interested person meeting the qualifications specified in  
11 subdivision (d) may submit an application to the county elections  
12 official to be considered for membership on the commission. The  
13 county elections official shall review the applications and eliminate  
14 applicants who do not meet the specified qualifications.

15 (f) (1) From the pool of qualified applicants, the county  
16 elections official shall select 60 of the most qualified applicants,  
17 taking into account the requirements described in subdivision (c).  
18 The county elections official shall make public the names of the  
19 60 most qualified applicants for at least 30 days. The county  
20 elections official shall not communicate with a member of the  
21 board, or an agent for a member of the board, about any matter  
22 related to the nomination process or applicants prior to the  
23 publication of the list of the 60 most qualified applicants.

24 (2) During the period described in paragraph (1), the county  
25 elections official may eliminate any of the previously selected  
26 applicants if the official becomes aware that the applicant does  
27 not meet the qualifications specified in subdivision (d).

28 (g) (1) After complying with the requirements of subdivision  
29 (f), the county elections official shall create a subpool for each of  
30 the eight service planning areas in the County of Los Angeles.

31 (2) At a regularly scheduled meeting of the board, the  
32 Auditor-Controller of the County of Los Angeles shall conduct a  
33 random drawing to select one commissioner from each of the eight  
34 subpools established by the county elections official.

35 (h) (1) The eight selected commissioners shall review the  
36 remaining names in the subpools of applicants and shall appoint  
37 six additional applicants to the commission.

38 (2) The six appointees shall be chosen based on relevant  
39 experience, analytical skills, and ability to be impartial, and to  
40 ensure that the commission reflects the county's diversity,

1 including racial, ethnic, geographic, and gender diversity. The  
2 eight commissioners shall also consider political party preference,  
3 selecting applicants so that the political party preference of the  
4 members of the commission are as proportional as possible to that  
5 of the registered voters in the county, as described in subdivision  
6 (c); however, formulas or specific ratios shall not applied for this  
7 purpose.

8 21533. (a) A commission member shall apply this chapter in  
9 a manner that is impartial and that reinforces public confidence in  
10 the integrity of the redistricting process.

11 (b) The term of office of each member of the commission  
12 expires upon the appointment of the first member of the succeeding  
13 commission.

14 (c) Nine members of the commission shall constitute a quorum.  
15 Nine or more affirmative votes shall be required for any official  
16 action.

17 (d) (1) The commission shall not retain a consultant who would  
18 not be qualified as an applicant pursuant to paragraph (4) of  
19 subdivision (d) of Section 21532.

20 (2) For purposes of this subdivision, “consultant” means a  
21 person, whether or not compensated, retained to advise the  
22 commission or a member thereof regarding any aspect of the  
23 redistricting process.

24 21534. (a) The commission shall establish single-member  
25 supervisorial districts for the board pursuant to a mapping process  
26 using the following criteria as set forth in the following order of  
27 priority:

28 (1) Districts shall comply with the United States Constitution  
29 and each district shall have reasonably equal population with other  
30 districts for the board, except where deviation is required to comply  
31 with the federal Voting Rights Act (52 U.S.C. Sec. 10101 et seq.)  
32 or allowable by law.

33 (2) Districts shall comply with the federal Voting Rights Act  
34 (52 U.S.C. Sec. 10101 et seq.).

35 (3) Districts shall be geographically contiguous.

36 (4) The geographic integrity of any city, county, city and county,  
37 local neighborhood, or local community of interest shall be  
38 respected in a manner that minimizes their division to the extent  
39 possible without violating the requirements of paragraphs (1) to  
40 (3), inclusive. A community of interest is a contiguous population

1 which shares common social and economic interests that should  
2 be included within a single district for purposes of its effective  
3 and fair representation. Communities of interest shall not include  
4 relationships with political parties, incumbents, or political  
5 candidates.

6 (5) To the extent practicable, and where this does not conflict  
7 with paragraphs (1) to (4), inclusive, districts shall be drawn to  
8 encourage geographical compactness such that nearby areas of  
9 population are not bypassed for more distant population.

10 (b) The place of residence of any incumbent or political  
11 candidate shall not be considered in the creation of a map. Districts  
12 shall not be drawn for the purpose of favoring or discriminating  
13 against an incumbent, political candidate, or political party.

14 (c) (1) The commission shall comply with the Ralph M. Brown  
15 Act (Chapter 9 (commencing with Section 54950) of Part 1 of  
16 Division 2 of Title 5 of the Government Code).

17 (2) Before the commission draws a map, the commission shall  
18 conduct at least seven public hearings, to take place over a period  
19 of no fewer than thirty days, with at least one public hearing held  
20 in each supervisorial district.

21 (3) After the commission draws a draft map, the commission  
22 shall do both of the following:

23 (A) Post the map for public comment on the Internet Web site  
24 of the County of Los Angeles.

25 (B) Conduct at least two public hearings to take place over a  
26 period of no fewer than thirty days.

27 (4) (A) The commission shall establish and make available  
28 to the public a calendar of all public hearings described in  
29 paragraphs (2) and (3).

30 (B) Notwithstanding Section 54954.2 of the Government Code,  
31 the commission shall post the agenda for the public hearings  
32 described in paragraphs (2) and (3) at least seven days before the  
33 hearings. The agenda for a meeting required by paragraph (3) shall  
34 include a copy of the draft map.

35 (5) (A) The commission shall arrange for the live translation  
36 of a hearing held pursuant to this chapter in an applicable language  
37 if a request for translation is made at least 24 hours before the  
38 hearing.

39 (B) For purposes of this paragraph, an “applicable language”  
40 means a language for which the number of residents of the County

1 of Los Angeles who are members of a language minority is greater  
2 than or equal to 3 percent of the total voting age residents of the  
3 county.

4 (6) The commission shall take steps to encourage county  
5 residents to participate in the redistricting public review process.  
6 These steps may include:

7 (A) Providing information through media, social media, and  
8 public service announcements.

9 (B) Coordinating with community organizations.

10 (C) Posting information on the Internet Web site of the County  
11 of Los Angeles that explains the redistricting process and includes  
12 a notice of each public hearing and the procedures for testifying  
13 during a hearing or submitting written testimony directly to the  
14 commission.

15 (7) The board shall take all steps necessary to ensure that a  
16 complete and accurate computerized database is available for  
17 redistricting, and that procedures are in place to provide to the  
18 public ready access to redistricting data and computer software  
19 equivalent to what is available to the commission members.

20 (8) All records of the commission relating to redistricting, and  
21 all data considered by the commission in drawing a draft map or  
22 the final map, are public records.

23 (d) (1) The commission shall adopt a redistricting plan adjusting  
24 the boundaries of the supervisorial districts and shall file the plan  
25 with the county elections official prior to August 15 of the year  
26 following the year in which each decennial federal census is taken.

27 (2) The plan shall be effective 30 days after it is filed with the  
28 county elections official.

29 (3) The plan shall be subject to referendum in the same manner  
30 as ordinances.

31 (4) The commission shall issue, with the final map, a report that  
32 explains the basis on which the commission made its decisions in  
33 achieving compliance with the criteria described in subdivisions  
34 (a) and (b).

35 SEC. 2. The Legislature finds and declares that a special law  
36 is necessary and that a general law cannot be made applicable  
37 within the meaning of Section 16 of Article IV of the California  
38 Constitution because of the unique circumstances facing the County  
39 of Los Angeles.

1 SEC. 3. If the Commission on State Mandates determines that  
2 this act contains costs mandated by the state, reimbursement to  
3 local agencies and school districts for those costs shall be made  
4 pursuant to Part 7 (commencing with Section 17500) of Division  
5 4 of Title 2 of the Government Code.

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